

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Shahriar Almasi, et al.,

NO. C 10-03458 JW

Plaintiffs,

**ORDER VACATING PRELIMINARY  
PRETRIAL CONFERENCE**

v.

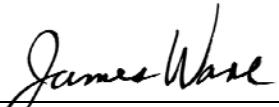
Equilon Enterprises, LLC,

Defendant.

This case is scheduled for a Preliminary Pretrial Conference on March 28, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement. (See Docket Item No. 37.) In their Joint Statement, the parties do not propose a trial schedule as Defendant contends that it will file a Motion for Summary Judgment prior to the Preliminary Pretrial Conference and Plaintiffs have filed a Motion for Administrative Relief to extend the discovery schedule. In light of the pending Motions, the Court finds that a Preliminary Pretrial Conference would be premature at this time.

Accordingly, the Court VACATES the March 28 Conference. The Court will set a new Preliminary Pretrial Conference date in its Order addressing Defendant's Motion for Summary Judgment, if necessary.

Dated: March 23, 2011

  
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JAMES WARE  
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Jocelyn Dana Hannah jhannah@wilsonturnerkosmo.com  
3 Robin Assaf Wofford rwofford@wilsonturnerkosmo.com  
4 Thomas Paul Bleau bleaushark@aol.com

5 **Dated: March 23, 2011**

**Richard W. Wieking, Clerk**

6 **By: /s/ JW Chambers**

7 **Elizabeth Garcia**  
8 **Courtroom Deputy**

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**United States District Court**

For the Northern District of California